

Notice of Allowability

Application No.

10/696,317

Examiner

Lorna M. Douyon

Applicant(s)

LENTSCH ET AL.

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application submitted October 28, 2003.
2. ☒ The allowed claim(s) is/are 32, 33, 35-47 renumbered 1-15 respectively.
3. ☒ The drawings filed on 28 October 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Lorna M. Douyon
Lorna M. Douyon
Primary Examiner
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dennis R. Daley on March 4, 2004.

2. The application has been amended as follows:

2.1. In claim 32:

a) line 1 "A" has been replaced with --An alkaline metal carbonate--

(support is found on page 22, line 6);

b) line 12 (second from last), the phrase --comprising an alkali metal carbonate-- has been added after "alkalinity".

2.2. In claim 33, line 1, --further-- has been added after "alkalinity".

2.3. Claim 34 has been canceled.

2.4. In claims 35-47, line 1 of each claim, "warewashing" has been deleted, respectively.

STATEMENT OF REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

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Vesterager, GB 2,200,365, the closes prior art, teaches a detergent composition comprising deterative active mixture of 50-99.99% by weight of conventional surfactant and 0.01-50% by weight of a silicone-containing compound of anionic, non-ionic, cationic and/or amphoteric nature together with adjuvants like bleaching agent and sequestrant, particularly in the form of a detergent dosage unit in the form of tablets (see abstract, page 1, lines 1-12) or solid, such as powdered products which can be packed in portions (see page 16, lines 13-16, page 19, lines 15-17). Vesterager teaches in Detergent Composition No. 5, a composition which comprises 20.3% by weight sodiumnitrilotriacetate, 2.1 wt% sodiummethylenediaminetetramethylenephosphonate (both of which are sequestrants), 4.2% by weight sodium metasilicate, 4.3% by weight sodium carbonate, 3.4% by weight alkylpolyethyleneglycolether (25 EO), 10.9% by weight isotridecanoethoxylate (8 EO) and 2.5% by weight "ABIL"R WS08 (see page 30, line 14+). Vesterager also teaches that suitable sequestrants for use are all sequestrants known from the prior art such as sodium tripolyphosphate (see page 14, lines 28-34) and 1-hydroxyethylidene-1,1-diphosphonic acid and mixtures thereof (see page 15, line 11, page 40, line 29+). Vesterager also teaches that the bleaching agent can be any conventional bleaching agent such as chlorinated trisodiumphosphate and dichloroisocyanuric acid (see page 17, lines 20-35, page 41, lines 16-30). Vesterager, however, fails to disclose an effective amount of a binding agent to provide the detergent composition as a solid and which comprises a complex of an organic phosphonate compound, sodium carbonate, and water. Inasmuch as there is no motivation, direction or guidance to combine all the ingredients in Vesterager to arrive at the composition comprising the recited binding agent, the present claims are found to be allowable.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (571) 272-1313. The examiner can normally be reached on Mondays-Fridays from 8:00AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lorna M. Douyon
Lorna M. Douyon
Primary Examiner
Art Unit 1751